

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 14-3134MJ
vs.)	EDTN Mag. No. 1:14-mj-147
)	
STEVEN AUDETTE)	JUDGE CARTER
MARY ROACH)	

MEMORANDUM AND ORDER

The defendants appeared for an initial appearance on May 29, 2014, and a preliminary/detention hearing on June 2, 2014, in accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure, on a Complaint and Warrant for Arrest out of the District of Arizona at Phoenix. Those present for the hearing included:

- (1) An Assistant United States Attorney for the Government..
- (2) The defendants, STEVEN AUDETTE and MARY ROACH.
- (3) Attorney Hannah Stokes for defendant AUDETTE and Attorney Leslie Cory for defendant ROACH.

After being sworn in due form of law, the defendants were informed or reminded of their privilege against self-incrimination accorded them under the 5th Amendment to the United States Constitution.

Counsel was appointed for both defendants at the initial appearance on May 29, 2014. It was determined defendants had been provided with a copy of the Complaint and Warrant for Arrest and had the opportunity of reviewing those documents with their respective attorneys. It was determined defendants were capable of being able to read and understand the copy of the aforesaid documents they had been provided.

At the May 29, 2014 hearing, the government moved defendants be detained without bail pending a preliminary hearing and detention hearing. Both defendants asked for time to prepare for a preliminary hearing and detention hearing. Said hearing was scheduled for June 2, 2014.

At the June 2, 2014 hearing, the government called ATF Task Force Officer Chad Johnson as a witness. He testified to the facts outlined in the affidavit attached to the criminal complaint and to facts set out in a sealed Motion for Detention Pending Trial and exhibits attached thereto which were filed in the United States District Court for the District of Arizona in Case 14-3134MJ.

Findings

Having heard and considered the testimony of Officer Johnson during the detention hearing and preliminary hearing and the Affidavit/Complaint, the undersigned finds:

- (1) There is probable cause to believe that there have been violations of 18 U.S.C. § 1343 and 1349, conspiracy to commit wire, committed in the District of Arizona.
- (2) There is probable cause to believe the defendants committed the aforesaid offenses.
- (3) The proof the defendants committed the aforesaid offenses is strong.
- (4) There are no conditions nor are there any combinations of conditions which will reasonably assure the safety of the community or the presence of the defendants at future hearings.

Conclusions

It is ORDERED:

- (1) The defendants are held to answer the charges against them in the District of Arizona.
- (2) The AUSA's motion to detain the defendant without bail is GRANTED for reasons set out in the separate ORDER OF DETENTION PENDING TRIAL filed with this order.
- (2) The U.S. Marshal shall transport defendants to the District of Arizona at Phoenix for a hearing before the duty magistrate judge on a date to be determined once defendant is in said district's custody.

ENTER.

S / *William B. Mitchell Carter*

UNITED STATES MAGISTRATE JUDGE